

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

TODD A. WRIGHT, Individually and On  
Behalf of All Others Similarly Situated

Plaintiffs,

vs.

WACHOVIA CORP; et al.,

Defendants.

**ECF Case**

**Case No. 08 Civ. 5324 (DC) (DF)**

**MOTION TO ADMIT COUNSEL PRO HAC VICE**

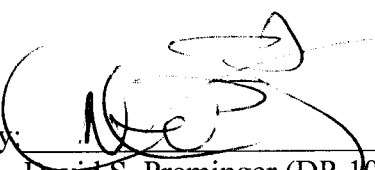
Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, David S. Preminger, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of Lynn Lincoln Sarko, Keller Rohrback, L.L.P., 1201 Third Avenue, Seattle, Washington 98101-3052, (telephone), (206) 623-1900, (fax) (206) 623-3384, lsarko@kellerrohrback.com.

Lynn Lincoln Sarko is a member in good standing of the Bar of the State of Washington. There are no pending disciplinary proceedings against Lynn Lincoln Sarko in any State or Federal Court.

Dated: New York, NY  
July 11, 2008

Respectfully submitted:  
Keller Rohrback L.L.P.

By:

  
David S. Preminger (DP-1057)  
275 Madison Avenue, Suite 1425  
New York, NY 10016  
Telephone: (212) 878-8890  
Facsimile: (212) 878-8895  
dpreminger@kellerrohrback.com

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**TODD A. WRIGHT, Individually and On  
Behalf of All Others Similarly Situated**

### ECF Case

Plaintiffs,

**Case No. 08 Civ. 5324 (DC) (DF)**

VS.

WACHOVIA CORP; et al.,

Defendants.

**DECLARATION OF DAVID S. PREMINGER  
IN SUPPORT OF MOTION TO ADMIT  
COUNSEL PRO HAC VICE**

David S. Preminger declares pursuant to 28 U.S.C. § 1746 as follows:

1. I am a member of the firm of Rosen Preminger & Bloom LLP, co-counsel for Plaintiffs in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit Lynn Lincoln Sarko as counsel pro hac vice to represent Plaintiffs in this matter.

2. I am a member in good standing of the bar of the state of New York, and was admitted to practice law on March 12, 1973. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. In June of this year I joined Keller Rohrback L.L.P., the law firm of which Mr. Sarko is the managing partner. Mr. Sarko is resident in the firm's principal office in Seattle, Washington.

4. I have known Mr. Sarko for over six (6) years. I am familiar with his practice, reputation and abilities. We have been and are currently frequently involved in ERISA class action litigation representing plaintiffs, are both members of the Employee Benefits Committee

of the Section on Labor and Employment Law of the American Bar Association and have frequently both been speakers at various CLE programs.

5. I have found Mr. Sarko to be a skilled attorney and a person of integrity. See also accompanying affidavit of Lynn Lincoln Sarko to which a certificate of good standing is attached as Exhibit 1. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

6. Accordingly, I am pleased to move the admission of Lynn Lincoln Sarko, pro hac vice.

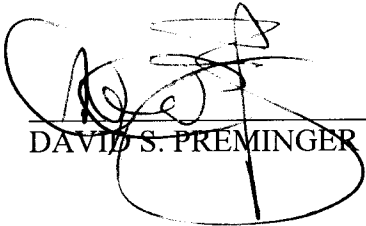
7. I respectfully submit a proposed order granting the admission of Lynn Lincoln Sarko, pro hac vice, which is attached as Exhibit 2.

WHEREFORE, it is respectfully requested that the motion to admit Lynn Lincoln Sarko, pro hac vice, to represent Plaintiffs in the above captioned matter, be granted.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 11, 2008 in New York, New York

Respectfully submitted,



DAVID S. PREMINGER (DP 1057)

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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TODD A. WRIGHT, Individually and On Behalf  
of All Others Similarly Situated

Plaintiff,

vs.

WACHOVIA CORP; JOHN D. BAKER, II;  
PETER C. BROWNING; JOHN T. CASTEEN,  
III; JEROME A. GITT; WILLIAM H.  
GOODWIN, JR.; MARYELLEN C.  
HERRINGER; ROBERT A. INGRAM;  
DONALD M. JAMES; MACKEY J.  
MCDONALD; JOSEPH NEUBAUER;  
TIMOTHY D. PROCTOR; ERNEST S. RADY;  
VAN L. RICHEY; RUTH G. SHAW; LANTY L.  
SMITH; G. KENNEDY THOMPSON; DONA  
DAVIS YOUNG; BENJAMIN J. JOLLEY;  
SHANNON MCFAYDEN; and JOHN AND  
JANE DOES 1-20.

Defendants.

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**Case No. 08 Civ 5324**

**AFFIDAVIT OF LYNN L. SARKO**

LYNN L. SARKO, an attorney duly admitted to practice in the Courts of this State of Washington, declares, pursuant to the Individual Rules and Procedures of this Court and Rule

1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, as follows:

1. I am a partner with the law firm of Keller Rohrback L.L.P., Counsel for Plaintiffs in the above-captioned matter with David Preminger.

2. I submit this Affidavit in support of Plaintiffs' motion for my admission to practice *pro hac vice* in this matter to argue or try this particular case in whole or in part as counsel or advocate.

3. As shown in the Certificate of Good Standing issued by the Supreme Court of the State of Washington and attached hereto as Exhibit 1, I am a member in good standing of the Bar of the State of Washington.

4. There are no pending disciplinary proceedings against me in any State or Federal court.

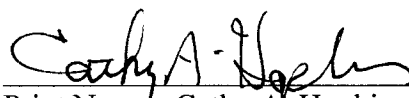
I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 7, 2008, at Seattle, Washington.

  
LYNN L. SARKO

SUBSCRIBED AND SWORN TO before me this 7th day of July, 2008.



  
Print Name: Cathy A. Hopkins  
NOTARY PUBLIC in and for the State of  
Washington; residing at: Lynnwood  
My commission expires: 1-7-12

# IN THE SUPREME COURT OF THE STATE OF WASHINGTON

IN THE MATTER OF THE ADMISSION	)	BAR NO. 16569
	)	
OF	)	<b>CERTIFICATE OF GOOD</b>
	)	
LYNN LINCOLN SARKO	)	<b>STANDING</b>
	)	
TO PRACTICE IN THE COURTS OF THIS STATE	)	
	)	

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I, Ronald R. Carpenter, Clerk of the Supreme Court of the State of Washington, hereby certify

LYNN LINCOLN SARKO

was regularly admitted to practice as an Attorney and Counselor at Law in the Supreme Court and all the Courts of the State of Washington on November 12, 1986, and is now and has continuously since that date been an attorney in good standing, and has a current status of active.



IN TESTIMONY WHEREOF, I have  
hereunto set my hand and affixed  
the seal of said Court this 25<sup>th</sup> day of  
June, 2008.

A stylized, handwritten signature in black ink, appearing to read "Ronald R. Carpenter".

Ronald R. Carpenter  
Supreme Court Clerk  
Washington State Supreme Court

**UNITED STATES DISTRICT COURT  
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## ECF Case

Plaintiffs,

**Case No. 08 Civ. 5324 (DC) (DF)**

VS.

WACHOVIA CORP; et al.,

Defendants.

## ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION

Upon the motion of David S. Preminger, co-counsel for Plaintiffs, and said sponsor attorney's declaration in support;

IT IS HEREBY ORDERED that Lynn Lincoln Sarko, Keller Rohrback, L.L.P., 1201 Third Avenue, Seattle, Washington 98101-3052, (telephone), (206) 623-1900, (fax) (206) 623-3384, lsarko@kellerrohrback .com, is admitted to practice pro hac vice as counsel for Plaintiffs in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of the Court.


So Ordered: New York, NY  
July , 2008

UNITED STATES DISTRICT/MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on the date set forth below, a copy of the foregoing Motion to Admit Counsel Pro Hac Vice was served on Myron D. Rumeld, Esq., Proskauer Rose LLP, 1585 Broadway, New York, NY 10036.

July 11, 2008

  
\_\_\_\_\_  
David S. Preminger